

**AGENDA  
URBAN COUNTY PLANNING COMMISSION  
SUBDIVISION ITEMS**

**June 12, 2014**

- I. **CALL TO ORDER** - The meeting will be called to order at 1:30 p.m. in the Council Chambers, Urban County Government Building, 200 East Main Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** – There are no minutes to consider at this time.
- III. **POSTPONEMENTS OR WITHDRAWALS** – Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, June 5, 2014, at 8:30 a.m. The meeting was attended by Commission members: Joe Smith, Karen Mundy, Frank Penn and Mike Owens. Committee members in attendance were: Hillard Newman, Division of Engineering; and Casey Kaucher, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee, Tom Martin, Cheryl Gallt, Dave Jarman, Denice Bullock and Kelly Hunter, as well as Mike Sanner, Department of Law. The Committee made recommendations on plans as noted.

General Notes

*The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission.*

1. *All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.*
2. *All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.*

- A. **NO DISCUSSION ITEMS** – Following requests for postponement or withdrawal, items requiring no discussion will be considered.

**Criteria:**

- (1) the Subdivision Committee recommendation is for approval, as listed on this agenda, and
- (2) the Petitioner agrees with the Subdivision Committee recommendation and conditions listed on the agenda, and
- (3) no discussion of the item is desired by the Commission, and
- (4) no person present at this meeting objects to the Commission acting on the matter without discussion, and
- (5) the matter does not involve a waiver of the Land Subdivision Regulations.

- B. **DISCUSSION ITEMS** – Following requests for postponement, withdrawal and no discussion items, the remaining items will be considered.

The procedure for these hearings is as follows:

- Staff Report(s), including subcommittee reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
  - (a) proponents (10 minute maximum OR 3 minutes each)
  - (b) objectors (30 minute maximum OR 3 minutes each)
- Rebuttal & Closing Statements
  - (a) petitioner's comments (5 minute maximum)
  - (b) citizen objectors (5 minute maximum)
  - (c) staff comments (5 minute maximum)
- Commission discusses and/or votes on the plan.

**Note:** Requests for additional time, stating the basis for the request, must be submitted to the staff no later than two days prior to the meeting. The Chair will announce his/her decision at the outset of the hearing.

**1. FINAL SUBDIVISION PLANS**

- a. **PLAN 2014-11F: TUSCANY, UNIT 10 (6/12/14)\*** - located at 1970 Winchester Road.  
(Council District 6) **(EA Partners)**

**Note:** The Planning Commission postponed this plan at their March 13, 2014; April 10, 2014 and May 8, 2014, meetings.

**The Subdivision Committee Recommended: Postponement.** There were some questions regarding the need for a preliminary subdivision plan and the timing and construction of public infrastructure in the area.

Should this plan be approved, the following requirements should be considered:

1. Urban County Engineer's acceptance of drainage and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.

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\* - Denotes date by which Commission must either approve or disapprove request.

6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
  7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
  8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
  9. Denote right-of-way width of Winchester Road at cross-section location.
  10. Addition of building line along Meeting Street.
  11. Discuss extension of Meeting Street and timing of its approval for construction.
  12. Discuss access proposed to Winchester Road.
  13. Discuss sanitary sewers necessary to serve lot.
  14. Discuss need for preliminary subdivision plan.
  15. Discuss Urban County Engineer's and engineer's certifications.
- b. PLAN 2014-31F: THE FAIRWAYS AT ANDOVER, UNIT 1-B (8/3/14)\* - located at 3435 McFarland Lane.  
(Council District 6) **(EA Partners)**
- The Subdivision Committee Recommended: **Approval**, subject to the following conditions:
1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
  2. Urban County Traffic Engineer's approval of street cross-sections and access.
  3. Building Inspection's approval of landscaping.
  4. Addressing Office's approval of street names and addresses.
  5. Urban Forester's approval of tree protection area(s) and required street tree information.
  6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
  7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
  8. Correct FEMA map reference (2014 map date).
  9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
  10. Denote width of sanitary sewer easement across Lots 1 - 8.
  11. Denote width of storm and sanitary sewer easement across Lots 58 - 65.
  12. Discuss status of required LOMR.
  13. Discuss proposed 54" stormwater pipe to contain floodplain and floodway.
  14. Discuss timing of public street dedication with LOMR and stormwater improvements.
- c. PLAN 2014-32F: THE FAIRWAYS AT ANDOVER, UNIT 1-C (8/3/14)\* - located at 3435 McFarland Lane.  
(Council District 6) **(EA Partners)**
- The Subdivision Committee Recommended: **Postponement**. There were concerns with the timing of the LOMR and the stormwater system improvements.
- Should this plan be approved, the following requirements should be considered:
1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
  2. Urban County Traffic Engineer's approval of street cross-sections and access.
  3. Building Inspection's approval of landscaping.
  4. Addressing Office's approval of street names and addresses.
  5. Urban Forester's approval of tree protection area(s) and required street tree information.
  6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
  7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
  8. Correct FEMA map reference (2014 map date).
  9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
  10. Denote width of sanitary sewer easement across Lots 9 - 12.
  11. Denote width of storm and sanitary sewer easement across Lots 56 - 60.
  12. Provided PLAN 2014-31F is recorded prior to this plat.
  13. Discuss status of required LOMR.
  14. Discuss proposed 54" stormwater pipe to contain floodplain and floodway.
  15. Discuss necessary stormwater improvements needed in "Future Development" area off site.
- d. PLAN 2014-33F: ASHLAND PARK SUBDIVISION, UNIT 11, LOT 4 (8/3/14)\* - located at 312 Clinton Road.  
(Council District 5) **(Wes Witt)**

Note: The purpose of this amendment is to subdivide one lot into two lots.

The Subdivision Committee Recommended: **Postponement**. The proposed lot is not currently served by sanitary sewer.

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Should this plan be approved, the following requirements should be considered:

1. Urban County Engineer's acceptance of drainage and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
7. Addition of name and address of property owner and developer.
8. Addition of graphic scale.
9. Addition of utility easement per current Final Record Plat.
10. Demonstrate compliance with required setbacks relative to existing house (on Lot 4).
11. Delete street tree note #5.
12. Delete street tree note referencing 45' on center.
13. Revise the 25' building line on Lot 4 to 30'.
14. Discuss proposed driveway location on Lot 4B.
15. Discuss provisions of sanitary sewer service and necessary easement(s).

- e. PLAN 2014-34F: GARDENSIDE CABANA CLUB (PARKSIDE DEVELOPMENT) (AMD) (8/3/14)\* - located at 1060 Cross Keys. (Council District 11) **(The Kleingers Group)**

Note: The purpose of this amendment is to subdivide one lot into three lots.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Correct plan title.
11. Addition of zoning, street frontage and site acreage in site statistics.
12. Addition of zone lines and labels.
13. Denote adjoining property with dashed lines, and clarify.
14. Correct property owner's certification.
15. Correct Planning Commission's certification.
16. Clarify 20' building line setback (from streets).
17. Remove side and rear yard setback information.
18. Denote variance granted by the Planning Commission on plat.

- f. PLAN 2013-37F: TURFLAND MALL (AMD) (9/2/14)\* - located at 2195 Harrodsburg Road. **(HDR Engineers)**  
(Council District 11)

Note: The Planning Commission originally approved this plan on May 9, 2013, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
7. Complete boundary information for Tract 2 (solid lines), including bearings and dimensions.
8. Delete notes #8 and #9.
9. Addition of required site statistics.
10. Addition of all easement information on Tract 2.
11. Addition of private utility providers.
12. Correct note #5.
13. Revise note #1 to current requirements.
14. Approval and certification of an amended development plan prior to plan certification.

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Note: Commission's approval has since expired, and the applicant now requests reapproval of the plan, and has requested a waiver to Article 6-6 of the Land Subdivision Regulations.

The staff will report at the meeting.

- g. PLAN 2013-38F: TUSCANY, TRACT A (9/2/14)\* - located at 1978 Winchester Road.  
(Council District 6) **(HDR Engineers)**

Note: The Planning Commission originally approved this plan on May 23, 2013, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
9. Correct notes #1, #3 & #5.
10. Denote existing conditional zoning restrictions and clarify building setback along Winchester Road.
11. Denote a pedestrian system along Winchester Road to the approval of the Bike & Pedestrian Planner.
12. Denote timing of street construction and dedication prior to issuance of any Occupancy Permits, if recorded in phases.

Note: Section 1 of this plan was recorded on August 30, 2013. Commission's approval has since expired for Section 2, and the applicant now requests reapproval of the plan.

The Staff Recommends: **Reapproval for Section 2**, subject to original conditions #1, 2, 4, 5, 7 and 12 (if applicable).

- h. PLAN 2013-53F: 300 WEST VINE, LLC PROPERTY (9/3/14)\* - located at 307-315, 317-331 and 343 South Broadway. (Council District 3) **(Strand & Associates)**

Note: The Planning Commission originally approved this plan on June 13, 2013, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
6. Correct vicinity map (northern property).
7. Addition of building lines (10') as required by Article 8-18(h).
8. Addition of survey monument information.
9. Correct Engineer's certification to the approval of the Division of Engineering.
10. Resolve access and pedestrian easements from Lot 1 to serve Lot 2.

Note: The applicant now requests an extension of the Commission's original approval.

The Staff Recommends: **Approval of a one-year extension**, subject to the original conditions.

## 2. DEVELOPMENT PLANS

- a. DP 2014-13: GROWTH PROPERTIES (AMD) (6/12/14)\* - located at 100 Goodrich Avenue.  
(Council District 3) **(Vision Engineering)**

Note: The Planning Commission postponed this plan at their March 13, 2014; March 27, 2014; April 10, 2014, and May 8, 2014, meetings. The purpose of this amendment is to depict a single family residence at 100 Goodrich Avenue, the line separating it from the B-1 zone, and to revise plan notes.

The Subdivision Committee Recommended: **Postponement**. There are concerns regarding the suitability of the proposed single family use and the historic storm water flooding conditions.

Should this plan be approved, the following conditions should be considered:

1. Urban County Engineer's acceptance of drainage and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.

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3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
7. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
8. Correct typographical errors throughout plan notes.
9. Restore access restrictions from previous note #11.
10. Discuss need to establish a finished floor elevation for proposed residence on 100 Goodrich Avenue.
11. Discuss possible 25' building line at 100 Goodrich Avenue.

- b. DP 2014-26: KIRKLEVINGTON NORTH, TRACT B (AMD) (6/12/14)\* - located at 858 Malabu Drive.  
(Council District 4) **(Vision Engineering)**

Note: The Planning Commission postponed this plan at their April 10, 2014, and May 8, 2014, meetings. The purpose of this amendment is to add a building and provide additional parking.

The Subdivision Committee Recommended: **Postponement**. The development plan is missing information demonstrating that it is in compliance with the Zoning Ordinance.

Should this plan be approved, the following requirements should be considered:

1. Urban County Engineer's acceptance of drainage and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
7. Division of Waste Management's approval of refuse collection locations.
8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
9. Denote boundaries of property in solid line.
10. Addition of record plat designation.
11. Complete topography information.
12. Denote access point for construction.
13. Addition of access points across the street.
14. Denote P-1/R-4 zoning boundary on plan.
15. Denote zone-to-zone screening buffer widths on plan.
16. Denote required and provided open space in site statistics.
17. Denote height of building, in feet.
18. Denote floor area and floor area ratio in site statistics.
19. Denote all existing and proposed easements.
20. Addition of tree inventory and tree canopy information.
21. Dimension driveways, drive aisle and driveway apron.
22. Discuss 5' side yard setback and possible variance.

- c. DP 2014-45: INDIAN HILLS SUBDIVISION (LEXINGTON VEIN CENTER, PLLC) (8/3/14)\* - located at 3116 Harrodsburg Road. (Council District 10) **(Wheat & Ladenburger)**

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
7. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
8. Delete note #12.
9. Denote construction access point location.
10. Clarify tree protection area.
11. KYDOT's approval of proposed access to Harrodsburg Road.
12. Resolve methods to address potential loss of Ash trees and tree canopy.

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- d. DP 2013-29: HEADLEY, NIVEN & VANCE PROPERTY, LOTS 1, 2 & 3 (9/3/14)\* - located at 1500 Russell Cave Road & 281 and 285 New Circle Road. (Council District 1) **(Vision Engineering)**

Note: The Planning Commission originally approved this plan on May 9, 2013, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Kentucky Transportation Cabinet's approval of access to Russell Cave Road.
10. Clarify restaurant seating to include outdoor patio area (and any related off-street parking).
11. Correct, delete and consolidate notes #9 - #13 to the approval of the Urban Forester.
12. Denote that the proposed construction access from Russell Cave Road cannot be built or utilized except with the issuance of a permit for Building 1.
13. Label existing and proposed access points to Russell Cave Road.
14. Denote: No building permit shall be issued for Building 1 until the existing access (#2) to Russell Cave Road is closed. The new access shall be constructed to the approval of the Division of Traffic Engineering and the Division of Engineering.
15. Signage for right turn only at access #3.

Note: The applicant now requests reapproval of the plan.

The Staff Recommends: Reapproval, subject to the original conditions, and adding one condition:

16. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.

- C. **PERFORMANCE BONDS AND LETTERS OF CREDIT** – Any bonds or letters of credit requiring Commission action will be considered at this time. The Division of Engineering will report at the meeting.

- VI. **COMMISSION ITEMS** – The Chair will announce that any item a Commission member would like to present will be heard at this time.

- A. **PFR 2014-2: LEXTRAN HEADQUARTERS COMPLEX** – a Public Facility Review of the proposed new headquarters complex for LexTran, at 200 W. Loudon Avenue & 911 Russell Cave Road.

**SUMMARY FINDINGS:** There are no Goals or Objectives of the Comprehensive Plan that are in opposition to the construction and occupancy of the new LexTran Headquarters on the subject property. Several Themes, Goals and Objectives, as well as text of the Plan, support the project; additionally, it is in compliance with the previous recommendation (*2007 Comprehensive Plan*) of Light Industrial land use for the property. The type of facility that is proposed is akin to a truck terminal and its associated uses, which are principally permitted in the I-1 (Light Industrial) zone. By virtue of its occupancy 24/7, there is a potential to disturb residential properties to the west; however, the presence of the R.J. Corman Railroad and what appears to be an abundant amount of screening along the rail line will help to mitigate that situation. Bioswales will be implemented to filter runoff from the parking areas and the bus storage areas prior to its entry into the storm water system. There are no other apparent/significant issues that might be of concern in the proposed use of this property.

The purpose of the headquarters facility is to provide an updated, central (and sizeable) location so that all employees may be accommodated in the same location, which should help to make operation of LexTran more efficient and cost effective. This, in itself, constitutes compliance with the Comprehensive Plan, as well as *Destination 2040*. Both endorse improvements to the existing transit system and provision of alternative, multi-modal means of transportation in and around Fayette County with the purpose of maintaining and/or improving Lexington's quality of life.

**RECOMMENDATION:**

1. Because the property will be occupied 24/7, it is recommended that the existing tree line that borders the property to the west be maintained, and supplemented if needed, to screen the proposed use from the adjoining residential properties.

- VII. **STAFF ITEMS** – The Chair will announce that any item a Staff member would like to present will be heard at this time.

- VIII. **AUDIENCE ITEMS** – Citizens may bring a planning related matter before the Commission at this time for general discussion or future action. Items that will NOT be heard are those requiring the Commission's formal action, such as zoning items for early rehearing, map or text amendments; subdivision or development plans, etc. These last mentioned items must be filed in advance of this meeting in conformance with the adopted filing schedule.

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IX. NEXT MEETING DATES

Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building) ..... June 25, 2014  
**Zoning Items Public Hearing**, Thursday, 1:30 p.m., 2<sup>nd</sup> Floor Council Chambers ..... **June 26, 2014**  
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building) ..... July 3, 2014  
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building) ..... July 3, 2014  
**Subdivision Items Public Meeting**, Thursday, 1:30 p.m., 2<sup>nd</sup> Floor Council Chambers ..... **July 10, 2014**

X. ADJOURNMENT